



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

September 15, 2022

By ECF

Hon. Jesse M. Furman
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Application GRANTED. The conference is hereby ADJOURNED to October 13, 2022, at 3:30 p.m.. The Clerk of Court is directed to terminate Doc. #145. SO ORDERED.

A handwritten signature in black ink, appearing to read "Jesse M. Furman", written over the typed name.

Re: *United States v. Lawrence McAfee*, 18 Cr. 425 (JMF) September 15, 2022

Dear Judge Furman,

Pursuant to the Court's September 7, 2022 order, the parties have conferred and write to provide the Court a status report in this matter.

The defendant is currently being evaluated at FMC Butner to assess whether he is competent, and if still found to be incompetent, whether his release would "would create a substantial risk of bodily injury to another person or serious damage to property of another." 18 U.S.C. § 4246. FMC Butner personnel has communicated to the Government that it anticipates completing a report shortly after September 29, 2022.

The parties believe the Court should defer ruling on the defendant's motion to dismiss until after FMC Butner provides its report to the parties and the Court. The parties do not believe a conference needs to be held prior to October 4, 2022.

With respect to the October 4, 2022 scheduled conference, the undersigned is expected to be on trial before the Hon. P. Kevin Castel. While another AUSA from the U.S. Attorney's Office is available to cover the appearance in this matter on October 4, given the complex history of this case, the undersigned, with the consent of defense counsel, respectfully requests the Court re-

schedule the conference to the week of October 10, 2022 except for October 11, 2022 during which date defense counsel is unavailable.

The Government is available to address any questions the Court may have.

Very truly yours,

DAMIAN WILLIAMS
United States Attorney

by: /s/
Ryan B. Finkel
Assistant United States Attorney
(212) 637-6612

Copy to: Scott B. Tulman, Esq. (by ECF)